IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38198 of 2007(V)

PETITIONER:

SMT.VALSAMMA SKARIA,
H.S.A. ST.MARY*S HIGH SCHOOL,(UNDER SUSPENSION),
PATHANAMTHITTA-689645.

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT,DEPARTMENT OF GENERAL EDUCATION, THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER, PATHANAMTHITTA.

3. DR.T.A.GEORGE, MANAGER, ST.MARYS H.S., PATHANAMTHITTA-689 645.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI, J.

W.P.(C) No.38198 of 2007

Dated this the 24th day of December, 2007

J U D G M E N T

The petitioner challenges Ext.P14 order of suspension issued by the Manager. I am not inclined to interfere with Ext.P14 at this stage, taking note of the fact that suspension beyond fifteen days requires the approval by the District Educational Officer.

2. After taking note of the previous history of the dispute between the petitioner and the Manager and the allegation by the petitioner that she is being victimised for having raised a legitimate claim for promotion as a Head Mistress, I think it necessary to remind the District Educational Officer of the fact that he is required to apply his mind to the facts and to hear the petitioner on her objections before taking a decision as to whether the suspension should be continued beyond fifteen days or not. The petitioner may point out the relevant aspects in this regard before the District Educational Officer before the expiry of fifteen days from Ext.P14, in which case, the District Educational Officer shall consider such objections and then proceed to take a decision in the matter, in accordance with law.

3. Subject to these observations, this writ petition is disposed of.

(V.GIRI, JUDGE)

jsr